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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MAMADOU ALPHS DIALLO,

Petitioner,

-v-

CHARLES MULE, et al.,

Respondents.

DECISION AND ORDER
06-CV-00835F

Petitioner, Mamadou Alphs Diallo, filed a petition for habeas corpus relief, pursuant to 28 U.S.C. § 2241, challenging his continued administrative custody/detention pending removal. (Docket No. 1). Respondents have filed a motion to dismiss the petition as moot inasmuch as petitioner's removal to his native country was effected on February 7, 2007. (Docket No. 6, Notice of Motion to Dismiss and Affidavit of Gail Mitchell, Esq., sworn to February 8, 2007). Respondents' counsel's affidavit in support of the motion to dismiss avers that she has been informed by a Department of Homeland Security Deportation Officer that another Deportation Officer escorted petitioner from the United States to Senegal for his removal to his native country, Guinea, on February 7, 2007. (*Id.*, ¶¶ 8-11, and Ex. A).¹


Accordingly, in light of the fact that petitioner's removal has been effected and that the relief requested in the petition has been effected, *i.e.*, release from administrative

¹Petitioner's request for a stay of removal was denied by this Court on December 22, 2006. (Docket No. 5).

detention, the respondent's motion to dismiss the petition is granted and the petition is dismissed.

SO ORDERED.

Dated: February 28, 2007
Rochester, New York



CHARLES J. SIRAGUSA
United States District Judge